Bishop Onderdonk's Statement.

A STATEMENT

FACTS AND CIRCUMSTANCES CONNECTED WITH THE RECENT Trial of the Bishop of New York.

was made by several of the Bishops against the propriety of such a paper having being brought into the House, and against its being received, opened, or read; because it was uncanonical and disorderly to bring a Bishop's character under the official notice of his brethren, except in the mode pointed out by law. The altimate result was a refusal to receive the document, and its being returned unopened to the persons who had presented it. I need hardly say, that I felt myself deeply injured by the Presiding Bishop in his allowing himself to be an agent in so irregular and unjust a procedure, as bringing such a decument into the House.

On or about Thursday, Oct. 17th, I understood that a number of affidavits had been procured by the Kev. James G. Richmond, of Rhode Island, injurious to my character, and were placed in the hands of Bishop Elliott.

Of Mr. Richmond it is unnecessary that I say much. His erratic peculiarities are well known. He had but a few weeks before, called on me, and expressed a warm desire to return to my diocese, that he might be my friend and stand by me in my troubles. I have since heard of his having expressed himself of me in terms of hostility, for the letter which I wrote to the Archbishop of Canterbury unfavorable to his well known project of going as a volunteer Bishop to the Turks; and also for my not sanctioning his desire to preach in one of the public squares in this city. He was now employed for my destruction, and told a clerical brother, the Rev. Mr. Van Bokkelen, that his expenses were paid.

On Tuesday, October 22d, Bishop Ives informed me that he had heard the affidavits read. I understood that certain of my friends had been very urgant for an opportunity being allowed them and me of either seeing or hearing them. This was sternly resisted until October 22d. Then, unknown me, they were read to three of my friends not designated by myself. Here was certainly a piece of great injustice, that being denied either a sight or hearing of the ease, and progressions. I told Bishop I

same promise and pledge that my request should be met before he (Bishop Elliott) would act as a presenter.

I was told, further, that besides the affidavits then in hand, a large number of others would be forthcoming by the following Friday morning, October 25th. My calls at home rendered it necessary for me to leave Philadelphia on the morning of Thursday, 24th. In New York, Bishop Ives, who had come on about the same time, observed to me that I need be under no apprehension of the presentment Meing made without my friends and myself having the desired opportunity of considering and commenting upon the charges, as Bishop Miliott was in honor bound to see that such opportunity should be given.

Bishop Ives left New York on Friday 25th, the the day until which Bishop Elliott (with whom it was now understood Bishops Meade and Otey were united) was to wait for the expected large addition of affidavits. On Monday 28th, I received a letter from Bishop Ives, dated in Philadelphia on the 26th. The promised new affidavits had not arrived. Bishop Ives had asked Bishop Elliott if he would be willing to be a presenter. That must depend, he said, upon evidence yet to be produced. It is believed that not a single additional affidavit was used for the presentment.

Oa Wednesday, October 80th, the Bishope met in the General Theological Seminary, New York,

as its visitors. It had been told me a day or two before, on the authority, I think, of Bishop Otey, that the three Bishops would probably ceme to a determination on Friday, Nov. 1st. I afterwards learned from Bishop Doane, as the result of a conversation with them, that a presentment would probably be made on Friday or Saturday.

It soon came to my knowledge that certain persons—Mr. John Jay, of this city, and Mr. C. G. Memminger, of Charleston, S. C., then in this city, being particularly named—were going about investigating rumors against me, and for that purpose calling on families where they had reason to hope they might hear something to my disadvantage. The three Bishops, meanwhile, waiting in readiness to receive anything which might thus be brought to them.

The expected Friday and Saturday passed without my receiving a presentment. On Sunday, Nov. 3d, Bishop Kemper told me that he had, a day or two before, spoken to the Senior Bishop on the subject; who told him that he had notified the three Bishops that he should leave town the following Tuesday, previously to which he would be in readiness to receive any communication from them. On Monday 4th, Bishop Kemper told me that he had on that day seen Bishop Otey, who told him that the next day, Tuesday-Sih, 10 o'clock A.M., had been fixed on as the time for bringing the matter to an issue. On the evening of that day, at about 10 o'clock, I received the following letter from the three Bishops:—

"New York, Nov. 5, 1844.

Richty Reyerend and Dara Baothers.—

meted out to you in the premiees.

We sincerely trust that you will not misconceive our motives, nor misunderstand our course of action. Our desire is, we repeat it, for your sake and the church's sake, to bring out the truth and nething but the truth, and to pray you to halp as in if, that your character may stand before the world, as that of a Christian Bishop should, b.ameless and spotless.

We have delayed making this communication until we ascertained, astisfactorily to ourselves, that it was necessary to treuble you at all upon this painful matter.

And now, commending you to God, we remain, Very sincerely and affectionately,
Your brethren in the Episcopate,
WILLIAM MEADE, D. D.
JA. H OTEY,
STEPHEN ELLIOTT, Jr.

The above letter was accompanied by a docu-

WILLIAM MEADE, D. D.
JA. H OTEY,
STEPHEN ELLIOTT, Jr.

The above letter was accompanied by a document containing—not copies of the affidavits, which I had particularly desired to see, and the granting of the request to see which had been guarantied by Bishop Elliott's promise and pledge, but—the charges intended to be embodied in the presentment; and a verbal message that they would receive any communication from me the next morning at ten o'clock.*

This was the only redemption of Bishop Elliott's repeated pledge, that before the affidavits were used for the purpose of presentment, any request should be granted for my friends and myself to see or hear them, with opportunity of offering to the presenters explanations or counter statements—friends in this city were patiently and respectfully waiting, in sure expectation of an honorable redemption of the pledge, when I was told, at ten o'clock at night, that we were allowed until ten o'clock the next morning! I need not say how useless was this offer, and how utter the fallacy of any distinction that may be imagined between the sending of this letter and document, and the serving upon me at once of the presentment.

Thus it appears, that although it had been boastfully vaunted, as early as about the middle of October, that proof of guilt was in possession sufficient for my official destruction, and was deposited with Bishop Elliott, with whom Bishops Mead and Otey were soon connected, yet was it not until Nov. 5th, that I was apprised of their readiness to proceed Meanwhile, if I am rightly informed, they gained no new affidavit, nor could aught be found against me for a period mere recent than nearly two years and a half. Ample opportunity, however, had thus been afforded to my enemies for prosecuting their designs. Nor was it unimproved by them. Every effort was made to ruin me in the estimation of the church and the world. The most baré-faced falsehoods were circulated verbally and through the press. Through the influence of the latter, my character and conduc

matural heart, it is hard and toilsome for virtue and integrity to arrest.

Such was the cruel treatment to which I was subjected by the delays of the presenters, and the abominable practices against me which those delays encouraged; when, as appears by the issue, their work could have been as well done at least a fortnight earlier. No one need be told how much, through press and tongue, a fortnight may accomplish, in the work of evil speaking, lying, and slandering, when an aggravated case is sought to be made out, and the ruin of an obnoxious individual is the object.

To the above letter of the three Bishops, I sent the following reply:

Tothe above Bishops

Meade, Otey, and Elliott.

Brethern:

BRETHREN:— MRADE, OTEV, AND ELLIOTT.
Your communication of yesterday was handed to me lest evening.
You are mistaken in supposing that in what I say of "plans, means, and efforts," in my short address to the clergy end people of my charge, I had any reference to yourselves. I referred to what I junderstood to be the

*At this time two of my presbyters called on the presenting Bishops, and remonstrated with them on the shortness of the time silowed. They offered another day. So evident, however, was their haste to make up for past calley, and indeed so incompetent even the additionally allowed time to answer the purpose originally designed by my request and Bishop Elliett's promise-seeing that my past ignorance of the particular charges had allowed me no opportunity of preparation—that the real character of the procedure was not thus materially altered.

was magnified into a habit. As my friends, you were bound to give me at once the name of my false accuser, that he might be summarily prosecuted for his villainy, let it possible that this is the "disagreeable" thing to which you so coolly advert?

Had you allowed me the opportunity which Bishop Elliott's pledge made my right, I might have enabled you to clear up other charges against me.

The subject of your professed kind and friendly feelings toward me is inseparably connected in my mind with peculiar circumstances relating to two ofyour number. Of Bishop Meade, I was saked, two or three days ago, whether I considered him my friend. The question was put by a gentleman who had been in Virginia, and who said that his doubts on the subject were the result of what he had there heard, I think from the Bishop himself. I cannot but connect this with his present position, and particularly with his effort, at the late General Convention, to get rid of me, that he might in my absence, make my character the subject of remark among my brethren.

Of Bishop Otey, too, I am compelled to sneak in this connection, though with great pain. At different times an inmate of my family, much beloved and esteemed by them, he has not now called to see us. He has avoided all intercourse with me. He has, as one of vou, been accessible to all sorts of stories against me, and such as he must know my enemies design to push to my ruin and degradation, and to the wretchedness and penury of my family. He can yet find it in his heart to give me no chance of explanation, and still unite in professions of brotherly regard and christian kindness.

Had Bishop Elliott's pledge, brethren, been redeemed in its true spirit and meaning, I could have added various considerations not unceet to have been regarded by you in connection with the question of presentment. So obvious, however, is it that your minds are set, and your determination formed, that I cannot but regard such considerations as useless. I leave the whole matter in your hands, willing to

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To this letter the following answer was received:

New York, November 9, 1844.

Right Rev. and Dear Brother:

Yours of the sixth instant, received by us en the evening of the eighth, requires only a few words in reply.

We consider the promise made by one of our number in Philadelphia, as juifilled in letter and in spirit by our communication of the fifth instant. We reiterate what we stated in that communications, that we have acted throughout this whole matter, in a frank and generous manner to you and your friends, and that there has been no secreey, at any moment, in regard to our position, or the evidence received by us. We regret to perceive in your reply that the motives of our soltion are questioned; but in this stage of the business we deem it inconsistent with our duty to enter upen any discussion of that matter. We trust that the conduct of the trial will be such as to satisfy you that our single desire is to bring out the truth, and nothing but the truth, and settle these painful charges one way or the other. As the case is now in the hands of the Presiding Bishop, we must decline any further correspondence upon these matters.

Reciprocating your prayers and good wishes,

We remain your brethere in the church,

WILLIAM MEADE,

JAMES H. OTEY,

SPEPHEN ELLIOTT, JR.

On the ninth of November, the presentment,

On the ninth of November, the presentment, signed by the above-named Bishops, and the canonical summons to attend the trial, were served

nonical summons to attend the trial, were served upon me.

The presentment contains internal evidence of its having been the wish of the presenters not only to bring me to trial on specifications of misconduct for which I ought reasonably to be held accountable, but also to make out as bad a case as possible, and to strengthen prejudice against me. What but this last desire could have induced them to frame the ninth article! This specifies nothing. It merely charges sundry acts of impropriety during the space of the last seven years. None will deny that the promptness with which it was thrown out by the court, was its bounden duty, and an act of mere justice. None appreciating the righteous dealing which should characterize actions of this kind, will, I apprehend, justify such a charge. Will any doubt that it could have been seen to have no other bearing than to strengthen prejudice against the accused in the minds of his judges?

than those of third parties, and one of them, it is believed, had no affidavit whatever in its support.

Intemperance was one of the immoralities with which it was stated by the ostensible movers in this matter, in Philadelphia, I was charged by rumor. All that the presenters could find available on this subject, was an allegation of my having been under the influence of vinous or spiritous liquor, on one occasion, more than seven years before. How fairly the verdict of guilty was sustained by the evidence, will appear when that is made public. The charging of an insulated act so many years before, certainly looks very like a resolution and endeavor to blacken my character as much as possible.

It appears by the presentment, as I have before observed, that notwithstanding the prying and untiring vigilance of my enemies, the presenters could lay nothing to my charge alleged to have occurred within a less period than nearly two years and a half last past.

With regard to the specifications generally, two remarks may be made.

1. They are assigned to periods of time so distant as to place the defence under peculiar disadvantages—a circumstance which, it I understand right, lies at the foundation of the just and righteous principle that gave rise to statutes of limitation. This delay in secking redress was needless, as ample canonical provision for it had all the while existed.

2. The matters charged were such as, in their

ample canonical provision for it had all the while existed.

2. The matters charged were such as, in their very nature, to preclude direct counter-testimony. The defence is necessarily confined to circumstantial evidence, going to prove the improbability or impossibility of the charges, or defect in the credibility of the witnesses.

My pleu of not guilty was made with a good conscience, and is still sacredly adhered to * For its justification I must appeal to the testimony as it is to be laid before the church. Justice to myself, however, requires that I add thereto a few statements and considerations. I will take up the Articles of the presentment in reversed order, beginning with the seventh and eighth, which are essentially one.

cious, and repulsive temperament. Whether it was a weakness or not, I frankly confess I was moved by seeing Mr. Beare thus grieved at the idea of having been ill treated by myself. Isaw a young man whom I loved with paternal affection, in tears because of supposed injuries inflicted by me. My own tears were drawn forth in sympathy. I gave vent to the honest impulses of my heart in expressions of deep regret that I should have been the occasion of distress to him and his wife; but disavowed all intention to be so, and any conduct which could be justly so regarded. In reference, I supposed, to my denial, on the preceding day, of what I understood to be his wife's allegations, he asked me whether I meant to impeach her veracity. Dr. Muhlenberg had said the day before, that Mrs. Beare had given her statement to her busband while under great excitement and agitation. With this in my mind, I replied in substance, that I did not mean to impeach her veracity, for that, under peculiar states of mind, imagination may otten go beyond reality, memory prove treacherous, and erroneous impressions be conveyed, or errogeous statements given, without any purpose of deception. I have no hesitation in avowing that a prominent feeling in my mind was a desire to soothe my young friend, and avoid whatever might tend to mar his happiness, and therefore to put the most favorable construction on what I knew to be his wife's erroneous statements. In reference to this, I added that it would be little consolation to me to relieve my own distress by adding to that of others. I do not remember that his question was repeated. If it was, I answered it in the same way. I was moved, by seeing his distress, to a repetition of my regret at having been, however unconsciously and unjustly, a source of pain to himself and his wife. I hesitated not to ask to be forgiven for it, and assured him that the most serupulous regard to their feelings, and endeavor to promote their happiness, should hereafter show the sincerity with which I now addressed him.

show me to have been too confiding, what I have said is true. Let it go for what of right it should, in the momentous question now at issue.

The counsel for the prosecution said emphatically, more than once, that if it could be made to appear that parties, who, in this suit, complained of having been seriously aggrieved, had since acted towards the alleged aggressor in a manner in consistent with a sense of wrong and injury done them, this circumstance must go very far towards casting suspicion upon their complaints, and upon the testimony brought to sustain them. The justice of this must be obvious. It was the ground of much of the testimony adduced on the part of the defence. By that testimony it was clearly shown that I had received attentions from Mr. and Mrs. Beare, since the alleged outrage upon their feelings, totally inconsistent with the ground now taken by them. To the evidence on this point, I have somewhat to add.

When Mr. Beare was asked as a witness at the trial, how soon after the circumstances alleged by him against me, he called on me? He said that it was a few months previous to his ordination as priest, thus naturally conveying the idea that the visit had a reference to that event. This is not so. The subject of his ordination was introduced by him at a later day, in a letter. His first visit was some three or four months after the time of the alleged insult, I having been, for the greater part of the intermediate period, out of the city. It was, to all

The greater number of the specifications are unsupported in the presentment by other affidavits than those of third parties, and one of them, it is believed, had no affidavit whatever in its support.

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infavorable position of one thus accused, inasmuch as well asserted by the sum of the su but a few lines, in which she swears that every word of her sister's oath is true. Jane's oath, however, contained many details of which Meles does not pretend to have been an eye witness. That she should have sworn unqualifiedly to the truth of matters of which she had no personal knowledge, manifests a carelessness on the subject which certainly detracts from the credibility of her testimony. The juxta position of the two affidavits on the same sheet of paper, is among the reasons for receiving the two as the joint act of the sisters, a view of the case which will not be denied to be a true one.

The moral influence, therefore, of this careless swearing must be regarded as extending to the question of the credibility of both. But this is not all. A more mouraful consideration still, is the fact that the instrument containing these affidavits is in the hand-writing of a minister of the gospel, the Rev. James C. Richmond. Of whatever defect of moral principle or moral sensibility this method of swearing shows to exist in them, the responsibility is certainly largely shared by himself of otherwise, the least intimation of offence having been given to the complaining parties in this case. I now come to a period of more than four years, within which the presenters were not able to establish any thing to my disadvantage. More than seven and a half years ago, the circumstances are alleged to have occurred which are detailed in Articles bringing against me the charge—the only one of the kind—of having been intoxicated that length of time ago, and drawing down upon me conviction of being, on that account, guilty of immorality, and subjecting me to punisament for the same, I have before spoken. I crave an unbiassed and just judgment of the evidence. It is, however, perhaps, no more than an act of justice to myself to add, as illustrative of the opportunity there was for intoxication, and the probability of its existence, that I had, on that day, in the morning, instituted the Rector of the parish, and preached on the occasion; that after dinner I had preached, administered confirmation, and addressed the persons confirmed; and that after this service, as soon as arrangements could be made, with a little delay owing to rain, we set out on our journey; the interval having been spent with one of the most respectable famalies in I thaca.

Of the subject matter of the first article, I ask an unbiassed consideration of the evidence, and of what I have further to add in relation to it.

This case also presents a painful instance of insensibility, on the part of a minister of the gospel, to the additional particles and s

readers of the evidence will not fail to see the connection with a pretence, therein set forth, of sickness as the consequence of her journey from Ithaca,)—he writes are ollows:—

"After their arrival here"—at Syracuse on their return to Rhica—"Mrs Cooke saw Mrs Butler, and heard her speak of the journey and the Bishop. She spoke particularly of the kindness of the Bishop to her, and said she could acarcely have made the journey had she not had his support, (she leaning on him in her weakness;) but not one word did she say to Mrs. Cooke, (an intimate friend,) of any impropriety in the Bishop).

"Mr. Peck's mother-in-law (Mrs. Griffing, who is well acquainted with the Bishop) is one of the communicants in this church, and is now here. Her daughter (Mrs. Peck) is dead. I called on her to-day. She recollected the fact well, that Mr. Peck was driver on that occasion. I asked her if either he or Mrs. Peck ever said anything about any impropriety in the Bishop's conduct during that ride. 'Nothing,' she said, 'that she ever knew.' She says he was always in the habit of closely observing things; had a nice sense of propriety, and was accustomed to speak freely of things to his wife and to her, when he came home. That after his return from libaca, he spoke of the nice pleasynt ride they had, and particularly of the Bishop's kind attentions to Mrs. Butler, as though she were his child. Mrs. Griffing feels very confident that if Mr. Peck had observed anything wrong, he would have mentioned it. Mr. Peck is probably in South America. On the 27th of October last, he wrote to Mrs. Griffing that he expected that day to start.'

Respecting this letter of Mr. Gregory, Bishop lives states to me his recollection that the account I gave to him in Philadelphia, of this ride to Saracuse, accorded exactly, in all material points, with that contained in the letter.

It is right that I here correct Mr. Butler in a matter entirely irrelevant to the main point, in which he betrayed his desire to wound and injure me as much as possible. Th

and injury.

In the present instance, too, I never had the least intimation of offence given, until last October, in Philadelphia; that is, until more than seven years since it is alleged to have been given.

There appears to have been, in the whole of the preparation for subjecting me to the late trial, a singular, and certainly a most unchristian effort, to evade the possibility of tailing in that design, by sot allowing the chance which our Divine Lord provides for his followers, of avoiding public discipline by the beneficial influence of private remonstrance. And surely not less singular and unchristian is the disposition thus manifested, to resist the Saviour's gracious purpose, in this blessed provision, of warding off scandal to His church.—Three of the prominent actors in this matter, the Rev. Mesers. Paul Trapier, John B. Gallagher, and Clement M. Butler, had been connected with me by the sacred tie of Christian instructor, and Christian pupils. Not one of them ever uttered to me a word indicative of wounded feeling, of knowledge of charges against me, or of solicitude for what might be the consequence of evil report on one who had ever treated them as a father and a friend. The first that that father and friend knew that any of them had aught against him, was his finding them, as his formal accusers, arrayed for bringing down upon him the strong arm of the Discipline of the Church. How far their conduct admits, not of the excuse, (for there can be none,) but of the explanation, that there were malignant promptings behind them, not yet fully brought to light, is what, in the providence of a just and righteous God, may hereafter more clearly appear. Had they adopted the course which was bounden upon them as christian that they had not been guilty of inflicting such wounds on the Church, and bringing such wicked scandal on its holy cause. Having been the means of producing excitement against me in a distant part of the country, heightened and rendered efficient by cooking the providence of the country h

"air. Peck, spoken of by Mr. Gregory as a "very respectable man," drove the carriage. His mane is omitted in the presentment. It became first known to the defence when mentioned in the testimony in court. Measures were immediately adopted for procuring his attendance. He had left the country, and the letter of Mr. Gregory arrived too late for any use of its contents on the trial.